

JOHN M. J. MADEY,

Plaintiff,

v.

DUKE UNIVERSITY,

Defendant.

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) Civil Action No. 1:97CV01170
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Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the Plaintiff John M.J. Madey and Defendant Duke University hereby stipulate to dismissal with prejudice of all counts of Plaintiff's First Amended and Supplemental Complaint and Defendant's Second Amended Answer and Counterclaims in this action. This stipulated dismissal is based on the compromise and settlement of the parties. Each party will bear its own costs and fees.

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Case 1:97-cv-01170-JAB Document 217 Filed 09/20/06 Page 1 of 2

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2006, I electronically filed the foregoing Stipulation of Dismissal with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Randall Roden and James Lester, attorneys for Plaintiff John Madey.

/s/ John M. Simpson

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